



Docket No.: N9810.0032/P032
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Harry A. Dugger, III, Ph.D.

Application No.: 10/663,817

Confirmation No.: 4051

Filed: September 17, 2003

Art Unit: 1616

For: BUCCAL, POLAR AND NON-POLAR
SPRAY OR CAPSULE

Examiner: M. Haghighatian

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee (37 CFR 1.97(d)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered.

06/30/2006 JADD01 00000074 10663817

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188.00 OP

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

Those documents which are marked with a double asterisk (**) next to the Cite No. in the attached form PTO/SB/08 (facsimile) are not supplied because they were previously cited by or submitted to the Office in a prior application number 10/100,156, filed March 18, 2002 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Credit Card in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed

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herewith (or with any paper hereafter filed in this application by this firm) to our
Deposit Account No. 04-1073, under Order No. N9810.0032/P032.

Dated: June 29, 2006

Respectfully submitted,

By 

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/663,817-Conf. #4051
				Filing Date	September 17, 2003
				First Named Inventor	Harry A. Dugger, III, Ph.D.
				Art Unit	1616
				Examiner Name	M. Haghighatian
Sheet	2	of	4	Attorney Docket Number	N9810.0032/P032

	AS1	US 2004/0265239	12/2004	Dugger, et al.	
	AT1	US 2005/0002867	01/2005	Dugger, et al.	
	AU1	US 2005/0025712	02/2005	Dugger	
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	AY1	US 2005/0025716	02/2005	Dugger	
	AZ1	US 2005/0025717	02/2005	Dugger	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	WO 02/094234	11/2002			
	BB	WO 00/62757	10/2000			
	BC	WO 9738663	10/1997			
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	BE1	WO 02/066089	08/2002			
	BF1	WO 02/094232	11/2002			

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PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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Sheet	1	of	4		

U.S. PATENT DOCUMENTS					
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		Number-Kind Code ² (if known)			
	AA	US-3,155,574	11/1964	Silson et al.	
	AB	US-2004/136913	07/2004	Adb El-Shafy Mohammed et al.	
	AC	US-2003/082107	05/2003	Dugger	
	AD	US-5,240,932	08/1993	Yasunori Morimoto et al.	
	AE	US 4,495,168	01/1985	Schmolka	
	AF	US 4,704,406	11/1987	Stanislaus et al.	
	AG	US 4,814,161	03/1989	Jinks et al.	
	AH	US 4,863,720	09/1989	Burghart et al.	
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	AT	US 6,258,032	07/2001	Hammesfahr	
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	AX	US 6,512,002	01/2003	Lee et al.	
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	AI1	US 2003/0185761	10/2003	Dugger	
	AJ1	US 2003/0190286	10/2003	Dugger	
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	AQ1	US 2004/0136915	07/2004	Dugger, et al.	
	AR1	US 2004/0141923	07/2004	Dugger et al.	

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	CA	<i>Goodman and Gilman's The Pharmacological Basis of Therapeutics</i> , 9th ed., pp. 141-154, 169-170, 260, 303-304, 324, 362, 372, 420-422, 427, 471-472, 478-480, 484, 490, 496-497, 928-930		
	CB	YE JIANG-HONG et al.; "Ondansetron Exhibits The Properties of a Local Anesthetic"; <i>Anesthesia and Analgesia</i> , Vol. 85. No. 5, November 1997; pgs 1116-1121		
	CC	ZERVAKIS, et al.; "Taste Effects of Lingual Application of Cardiovascular Medications"; <i>Physiology & Behavior</i> , 68: pp. 405-413 (2000)		
	CD	MOCHIZUKI, et al.; <i>Inhaled Diuretics Attenuate Acid-Induced Cough in Children With Asthma</i> "; <i>Chest</i> , 107/2 pp. 413-417 (1995)		
	CE	KARLSSON, et al.; "A Comparison of the Effect of Inhaled Diuretics on Airway Reflexes in Humans and Guinea Pigs", <i>The American Physiological Society</i> , pp. 434-438 (1992)		
	CF	L.W. BROX, et al.; "Studies on the Growth Inhibition and Metabolism of 2'-Deoxy-2' fluorocytidine in Cultured Human Lymphoblasts"; <i>Cancer Research</i> Vol. 34, pp 1838-1842 (1974)		
	CG	TING-CHAO CHOU, et al.; "Pharmacological Disposition and Metabolic Fate of 2'-Fluoro-5-iodo-1-β-D-arabinofuranosylcytosine in Mice and Rats"; <i>Cancer Research</i> Vol. 41, pp 3336-3342 (1981)		
	CH	Drug Facts and Comparisons (Jan. 2002) pp. 186c-186d		

Examiner Signature		Date Considered	
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				Art Unit	1616
				Examiner Name	M. Haghighatian
Sheet	4	of	4	Attorney Docket Number	N9810.0032/P032

	CY	WOODLEY et al., Manual of Medical Therapeutics, 27 th Edition, 1992, pp 341 and 370-371	
	CZ	Physician's Desk Reference, 1995, pp 858-861, 2436-2441, 2548-2550	
	CA1	Written Opinion of the International Searching Authority – 2/28/06	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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